

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH RD., STE. 100 ♡ SCOTTSDALE, ARIZONA 85258
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VETBOARD.AZ.GOV

MINUTES
May 17, 2017
Board Room, at 8:30 a.m.
9535 E. Doubletree Ranch Rd., Board room
Scottsdale, Arizona 85258

Members Present: Mr. Jim Loughhead, Dr. Les Hatfield, Dr. J. Greg Byrne, Dr. Sarah Heinrich, Ms. Nikki Frost, CVT, Ms. Jessica Creager, Ms. Julie Young and Dr. Christina Bertch-Mumaw.

Members Absent: Dr. Darren Wright.

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Ms. Sunita Krishna, Assistant Attorney General (A.A.G.); Mr. Michael Raine, Assistant Attorney General (A.A.G. for agenda item, IV. #1.); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Bertch-Mumaw at 8:30 a.m.

II. INITIAL INVESTIGATIVE REVIEW

1. 17-66 In Re: Edwin Kiesel, DVM

After discussion and consideration, a motion was made by Ms. Young and seconded by Dr. Hatfield to schedule this matter to an **Informal Interview** along with agenda item V. #9.b. Motion passed unanimously.

2. 17-89, In Re: James Nunn, DVM

Dr. Hatfield was recused. Dr. Nunn and attorney, Mark Lammers, were present telephonically and made statements. Ms. Tacy Patton and Ms. Jerika Bergey were present and made statements.

- *At 12:28pm, a motion was made by Ms. Frost and seconded by Ms. Young to go into executive session for legal advice. Motion passed unanimously.*
- *At 12:40pm, the Board entered back into open session.*

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Young to schedule this matter to an **Informal Interview**. Motion passed 7 ayes, 1 recusal.

III. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 17-55: In Re: Crystal Bley, DVM

Dr. Heinrich was recused. Dr. Bley was present with attorney, David Stoll, made statements and answered questions. Ms. Catalina DiNovo was present, made statements and answered questions. Ms. Amran Veeder was present, made statements and answered questions. After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Hatfield to find Dr. Bley in violation of **A.R.S. § 32-2232 (21)** as it relates to:

- **A.A.C. R3-11-502 (H) (1)** failure to obtain signed consent for general anesthesia;
- **A.A.C. R3-11-502 (L) (6)** failure to document suturing of the gums and material used; and
- **A.A.C. R3-11-502 (L) (9)** failure to document the results of the laboratory tests performed.

Roll call: Dr. Hatfield, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Bertch-Mumaw, aye; Mr. Loughhead, aye; Dr. Heinrich, recused; Ms. Young, aye; and Dr. Byrne, aye. Motion passed, 7 ayes, 1 recusal.

After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Hatfield to issue Dr. Bley a **Letter of Concern** regarding communications with the pet owner with respect to extractions of teeth on "Terra" and any follow-up, and reports of "Diesel" limping after visit. Motion passed 7 ayes, 1 recusal.

2. 17-58: In Re: Staci Brigham, DVM

Dr. Brigham was present with attorney, David Stoll, made statements and answered questions. Ms. Miquel Brickner was present telephonically, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Creager to **dismiss** this issue with no violation and issue a **Letter of Concern** with respect to failure to document the concentration of isoflurane administered to the dog in the medical record. Motion passed unanimously.

3. 17-91: In Re: Karen Beckwith, DVM

Dr. Beckwith was present with attorney, David Stoll, made statements and answered questions. Ms. Miquel Brickner was present telephonically, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to **dismiss** this issue with no violation. Motion passed unanimously.

4. 17-21: In Re: Megan Munis, DVM. Continuance of Informal Interview of February 15, 2017, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

Ms. Frost was recused. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to reopen the matter to allow Complainants to make statements to determine if new information is being presented for consideration. Motion passed 7 ayes, 1 recusal.

Attorney, David Stoll was present to monitor. Ms. Christine Eastman was present and made statements. The Board did not feel the information provided by Ms. Eastman was new.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to accept the Findings of Fact and Conclusions of Law as drafted. Motion passed 6 ayes, 1 nay (Ms. Young) and 1 recusal.

After further discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Creager to issue Dr. Munis an Order to include a period of **Probation for 1-year** to obtain an additional **4 hours** of continuing education, in addition to the statutory requirements to obtain licensure, in **medical record keeping**. Roll call: Roll call: Dr. Hatfield, aye; Ms. Frost, recused; Ms. Creager, aye; Dr. Bertch-Mumaw, aye; Mr. Loughhead, aye; Dr. Heinrich, aye; Ms. Young, nay; and Dr. Byrne, aye. Motion passed 6 ayes, 1 nay, and 1 recusal.

5.17-26: In Re: Jeffrey Steurer, DVM. Continuance of Informal Interview of April 19, 2017, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

Dr. Hatfield and Dr. Heinrich were recused. Attorney, David Stoll was present to monitor. Ms. Sharon Mason was present to monitor. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to accept the Findings of Fact and Conclusions of Law as drafted. Motion passed 6 ayes, 2 recusals.

After further discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to issue Dr. Steurer an Order to include a period of **Probation for 1-year** to obtain an additional **4 hours** of continuing education, in addition to the statutory requirements to obtain licensure, in **pediatric hematology-clinical and surgical significance**. The Order shall also include a **\$500 civil penalty** to be paid on or before the end of the Probationary period. Roll call: Dr. Hatfield, recused; Ms. Frost, aye; Ms. Creager, aye; Dr. Bertch-Mumaw, aye; Mr. Loughhead, aye; Dr. Heinrich, recused; Ms. Young, aye; and Dr. Byrne, aye. Motion passed 6 ayes, and 2 recusals.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1.15-77 and 15-103: In Re: Refaat Ishak, DVM. Board may review, discuss, and take action on medical records submitted in compliance with Board Order and may review, discuss, and take action on request to modify practice restrictions.

Dr. Ishak was present with attorney, Larry Cohen, made statements and answered questions. The Board discussed their concerns with the medical records submitted by Dr. Ishak in compliance with his Board Order. Mr. Cohen advised the Board that Dr. Ishak plans on hiring a Boarded Surgeon for mentoring purposes. No action taken by the Board.

2.14-27: In Re: Monica Bunge, DVM. Monthly Board appearance as required by Consent Agreement. Board may review, discuss, and take action to modify terms of Consent Agreement.

Dr. Bunge appeared telephonically in compliance with her Board Order.

3.15-06: In Re: Kathleen Slocum, DVM. Board may review, discuss, and take action on compliance with Board Order and may return license to Active status.

Dr. Hatfield was recused. After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch-Mumaw to open a case for failure to comply with Board Order 15-06. Motion passed unanimously.

After further discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch-Mumaw to find Dr. Slocum in violation of **A.R.S. § 32-2232 (18)** for failure to comply with Board Order 15-06, offer a **Consent Agreement** that would include a **\$1000 civil penalty** on top of the **outstanding \$400 civil penalty** from Board Order 15-06. The civil penalties are to be paid within 90 days of the effective date of the Consent Agreement. If the Consent Agreement is not signed within 35 days, the matter will be scheduled for an Informal Interview. Motion passed unanimously.

4. 17-33: In Re: Melissa Guzman, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.

Dr. Bertch-Mumaw and Ms. Frost were recused. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Creager to accept Dr. Guzman's proposed CE submitted in compliance of her Board Order. Motion passed 6 ayes, 2 recusals.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on Veterinary Technician Certification pending receipt of issuance fee.

- a. Miranda Allen
- b. Caree Brown
- c. Dianne Follett
- d. Devon Gage
- e. Somer Garcia
- f. Kasey Knight
- g. Nicole Lauer
- h. Brissa Vega

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to approve Veterinary Technician Certification a – e, g and h pending receipt of issuance fee. Motion passed unanimously.

Ms. Frost was recused. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to approve Ms. Knight's (f) Veterinary Technician Certification pending issuance fee. Motion passed 7 ayes, 1 recusal.

2. Board may review, discuss, and take action on request for approval of continuing education submitted.

a. Equine Dental Providers of America (EDPA).

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to approve the EDPA request for approval of continuing education. Motion passed unanimously.

b. Veterinary Referral Hospital of Hickory (North Carolina)

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to approve the Veterinary Referral Hospital of Hickory's request for approval of continuing education. Motion passed unanimously.

3. Board may review, discuss, and take action on denial of certification for veterinary technician applicants who failed the VTNE and/or State exam. List available upon request.

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to deny certification for veterinary technician applicants who failed the VTNE and/or State exam and authorize Ms. Whitmore to represent the Board if a settlement conference is requested with her authority limited to denial. Motion passed unanimously.

4. Board may review, discuss, and take action on request for Temporary Permit pending receipt of affidavit and proof of graduation.

- a. Carle Blkson
- b. Jade Lanier
- c. Clifford Fraser II
- d. Amanda Melhus
- e. Maria Zayas
- f. Amanda Likewise
- g. Melissa Johnson
- h. Samantha Dziekzak
- i. Tiffany Jackman
- j. Morina Pierce
- k. Lana Fox
- l. Theresa Horsley

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to approve request for Temporary Permits pending receipt of affidavit and proof of graduation for applicants a – k. Motion passed unanimously.

No action on applicant Ms. Horsley (l).

5. Board may review, discuss, and take action on new complaints received regarding Walter Kurth, DVM.

Removed from agenda.

6. Board may review, discuss, and take action on selecting delegate and other attendees for 2017 American Association of Veterinary State Boards' annual meeting and approving related funding for registration and travel.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Frost to select Dr. Byrne and Ms. Young to attend the 2017 AAVSB annual meeting, appoint Mr. Loughhead as the voting delegate and fund registration and travel expenses. Motion passed unanimously.

7. Board may review, discuss, and take action on agency policy regarding Board member compensation, re: A.R.S. §32-2202(E) and travel reimbursements.

After discussion and consideration, the Board directed staff to draft a policy based on the discussion and present it at a future Board meeting for approval.

8. Board may review, discuss, and take action on information from California Veterinary Medical Board regarding Kathleen Slocum, DVM.

Dr. Hatfield was recused. No action.

9. Board may review, discuss, and take action on premise inspection report for:

a. P0121: Santis Pet Clinic. Responsible Veterinarian: Hugo Santibanez, DVM.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to open an investigation with respect to premise compliance issues. Motion passed unanimously.

b. P0673: Camino Seco Pet Clinic. Responsible Veterinarian: Edwin Kiesel, DVM.

See Agenda item II. #1.

10. Board may review, discuss, and take action on C-15-12 in re: Chelsea Piper.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Hatfield to rescind letter and close matter. Motion passed unanimously.

11. Board may review, discuss, and take action on dismissal of charges reported by Catherine Dell'Orto, DVM.

No action taken.

12. Board may review, discuss, and take action on American Veterinary Medical Association's Practice Advisory Panel Final Report on Telemedicine and American Association of Veterinary State Boards' draft information.

No action taken.

13. Board may review, discuss, and take action on response to Judgment by Consent re: Celeste Kelly v. Victoria Whitmore, et. al., Maricopa County Superior Court Case No. CV2014-091906.

➤ *At 1:48pm, after discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch-Mumaw to go into executive session for legal advice. Motion passed unanimously.*

➤ *At 1:56pm, the Board entered back into open session.*

No action taken.

14. Board may review, discuss, and take action on "Regulation Rollback," regarding providing specific input on recommendations to improve or eliminate outdated regulations.

No action taken.

15. Board may review, discuss, and take action on veterinary license pending receipt of issuance fee and proof of graduation.

- a. Katie Boote**
- b. Kerry Campbell**
- c. Allison Edberg**
- d. Tyler Foreman**
- e. Deirdre Halloran**

- f. Rebecca McOnie
- g. Alida Matacynski
- h. Lyssa Meren
- i. Anneliese Michl
- j. Kelly Parrish
- k. Elizabeth Passmore
- l. Katherine Peachey
- m. Jeri Ray
- n. Glenn Robinson
- o. Meghann Robinson
- p. Monica Runge
- q. Johnathon Schroeder
- r. Christina Wensman
- s. Cole Wenzel

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Young to approve the above veterinary licenses pending receipt of issuance fee and proof of graduation. Motion passed unanimously.

16. Board may hold elections for Chair and Vice Chair for Fiscal Year 18.

After discussion and consideration, a motion was made by Ms. Young and seconded by Dr. Bertch-Mumaw to nominate Mr. Loughhead as Chair. Motion passed unanimously.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Hatfield to nominate Dr. Bertch-Mumaw as Vice Chair. Motion passed unanimously.

17. Board may review, discuss, and take action on agency funding for all convenience fees charged in online license renewal system.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Frost to include in the FY19 budget request an amount to cover one-half of the expected convenience fees for online credit card charges for license and certificate renewals in 2018-2019. Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

a. April 19, 2017 Regular Session

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to approve the April 19, 2017 regular session minutes. Motion passed unanimously.

b. April 19, 2017 Executive Session

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to approve the April 19, 2017 executive session minutes. Motion passed unanimously.

VII. CONSENT AGENDA

A. Approval to take State Veterinary Exam

1. Armstrong, Hannah (R)
2. Bikson, Carrie (R)
3. Brenner, Emily (R)
4. Caldwell, Mark (R)
5. Caress, Amber (R)
6. DeCamp, Steven (R)
7. Edling, Thomas (E)
8. Ercius, Jessica (R)
9. Galton, Aaron (R)
10. Gonzalez Graves, Vihaney (R)
11. Jackson, Jill (E)
12. Keller, Martha (E)
13. Kirk, Maureen (R)
14. Klostermann, Cassandra (R)
15. Lanier, Jade (R)
16. McNeilly, Emily (R)
17. Newman, Kelsey (R)
18. Strautman, Stephanie (R)
19. Tensley, Michelle (E)
20. Adkins-Ringer, Regina (R)
21. Chako, Clemence (R)
22. Christensen, Kristen (R)
23. Christensen, Lauren (R)
24. Cisneros, Crystal (R)
25. Dzierzak, Samantha (R)
26. Fang, Yizhou (R)
27. Fraser, Clifford (R)
28. Herriott, Caitlin (R)
29. Hill, Rachel (R)
30. Jackman, Tiffany (R)
31. Jones, Maggie (R)
32. Likewise, Amanda (R)
33. McEllen, Lauren (R)
34. Melhus, Amanda (R)
35. Nash, Katherine (R)
36. Pierce, Morina (R)
37. Sckrabulis, Jaime (R)
38. Solonyinka, Louis (E)
39. Taylor, Robert (R)
40. Tommet, Megan (R)
41. Zayas, Maria (R)

Approval to take the State Veterinary Exam granted.

B. Approval of Premise Licenses

1. R2815: Veterinary Partners PLC. New Premise. Bradley Dalrymple, DVM
2. R2816: Pets At Peace. New Premise. Tiffany Boisjolie, DVM
3. R2818: Mule Mountain Animal Hospital. New Premise. Kim Perkins, DVM
4. R2820: Cerbat Cliffs Animal Hospital. New Ownership. Paula Acer, DVM
5. R2821: Oracle Mobile Pet Clinic. New Address. Paul Pullen, DVM

6. R2822: The Rehab Nook. New Premise. J. Monet Martin, DVM
7. R2823: Shea Animal Hospital. New Ownership. Jack Sampson, DVM
8. R2824: Dove Mountain Veterinary. New Premise. Beth Witte-Neuman, DVM
9. R2825: Mountain View Animal Clinic. New Ownership and Responsible Veterinarian. Amy Hoffman, DVM
10. R2830: Banfield Pet Hospital #1099. New Responsible Veterinarian. James Levasseur, DVM
11. R2841: VIP Pet Care – Pet Club Maricopa. New Premise. Siobhan Jones, DVM
12. R2844: VIP Pet Care – Pet Club Casa Grande. New Premise. Siobhan Jones, DVM
13. R2848: VIP Pet Care – Pet Club Mesa (Country Club). New Premise. Siobhan Jones, DVM

B (3), (4), (5), (6), (7), (8), and (10) Removed from Consent Agenda.

Approval of Premise Licenses granted.

C. Approval of Random Premise Inspections

1. R1671. Canyon Pet Hospital. Julianne Miller, DVM

Approval of Random Premise Inspections granted.

D. Approval of Request for Temporary Permit(s)

1. Brenner, Emily (R)
2. Skrabulis, Jaime (R)
3. Solonynka, Louis (E)

Approval of Request for Temporary Permits granted.

E. Approval to take Certified Veterinary Technician Exams

1. Madrid, Samantha
2. Newman, Brian
3. Naylor, Tiffany
4. Bennett, Nicole

Approval to take Certified Veterinary Technician Exams granted.

F. Approval of Request for Reinstatement of Technician Certification

1. Burke, Angela
2. Levesque, Wilfred
3. Woolsoncroft, Barbara

Approval of Request for Reinstatement of Technician Certification granted.

G. Approval of Request for Reinstatement of Veterinary License

1. Allen, Kathryn

Approval of Request for Reinstatement of Veterinary License granted.

H. Approval of Faculty Member License

1. Murrieta Arenas, Andrea

Approval of Faculty Member License granted.

I. Approval of Veterinary License

1. French-Kogan, Emily (E)
2. Gough, Suzanne (E)
3. Kachka, Robin (E)
4. Kovalik, David (E)

5. Winters, Kevin (E)

Approval of Veterinary Licenses granted.

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to approve the Consent Agenda as amended. Motion passed unanimously.

Items Removed From Consent Agenda

B (3) R2818: Mule Mountain Animal Hospital. New Premise. Kim Perkins, DVM

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to approve pending inspection and compliance. Motion passed unanimously.

B (4) R2820: Cerbat Cliffs Animal Hospital. New Ownership. Paula Acer, DVM

B (5) R2821: Oracle Mobile Pet Clinic. New Address. Paul Pullen, DVMB

B (6) R2822: The Rehab Nook. New Premise. J. Monet Martin, DVM

B (7) R2823: Shea Animal Hospital. New Ownership. Jack Sampson, DVM

B (8) R2824: Dove Mountain Veterinary. New Premise. Beth Witte-Neuman, DVM

B (10) R2830: Banfield Pet Hospital #1099. New Responsible Veterinarian. James Levasseur, DVM

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Creager to approve pending compliance. Motion passed unanimously.

VIII. SUMMARY OF CURRENT EVENTS

Ms. Whitmore updated the Board on information received from the Arizona Department of Agriculture regarding the U.S. Department of Agriculture's Veterinary Medicine Loan Repayment Program.

IX. CALL TO PUBLIC

No member of the public wished to speak.

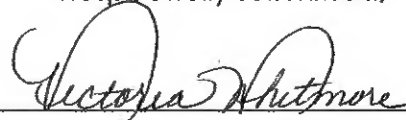
X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on **Wednesday, June 21, 2017** beginning at 8:30 a.m. at 9535 E. Doubletree Ranch Road, Board Room, Scottsdale, Arizona 85258.

XI. ADJOURNMENT

The meeting adjourned at 2:12 p.m.

Respectfully submitted,



Victoria Whitmore, Executive Director